

## IN AND FOR NEW CASTLE COUNTY

STENIO DESOUZA, and )  
RAQUEL DESOUZA, )  
Plaintiffs, )  
v. )  
PETTINARO CONSTRUCTION, CO., INC. )  
PETTINARO ASSOCIATES, INC., )  
PETTINARO ENTERPRISES, PETTINARO )  
ENTERPRISES. LLC, PETTINARO )  
RELOCATION, LLC, QUEENSBURY )  
VILLAGE, INC., ARCHITECTURE PLUS, P.A. )  
LANDMARK ENGINEERING, INC. )  
MID-ATLANTIC REALTY, J.N. CAPPENTRY, )  
INC., a/k/a/p/d/f/d/b/a, JN CARPENTRY, INC., )  
NJ CARPENTRY, and/or JN CARPENTER, INC. )  
E.F. CARPENTER, INC., U.S. BUILDERS ASSOC., )  
LLC, U.S. CONSTRUCTION, INC. a/k/a/pf/d/b/a )  
U.S. CONSTRUCTION, and/or U.S. )  
CONSTRUCTION, LLC, U.S. CONSTRUCTION, )  
JOSE H. RODRIGUES, a/p/f/k/a JOSE RODRIGUES )  
JOSES G. RODRIGUES, and/or JOSE RODRIGUEZ, )  
and/or JOSE M. RODRIGUEZ, and/or GOSE )  
RODRIGUES, and/or JOSE HENRIQUES )  
PEREIRA RODRIGUES, JOSE G. RODRIGUES, )  
JOSE HENRIQUE PEREIRA RODRIGUES, )  
JOSE RODRIGUEZ, JOSE M. RODRIGUEZ, )  
GOSE RODRIGUES, NINO RODRIGUES, )  
a/p/f/k/a ANTONIO G. RODRIGUES, and/or )  
ANTONIO O. RODRIGUES, and/or ANTONIO )  
RODRIGUES, ANTONIO G. RODRIGUES, )  
ANTONIO O. RODRIGUES, AND ANTONIO )  
RODRIGUES, )  
Defendants. )  
C.A. No.: 05-787 (SLR)  
JURY TRIAL DEMANDED

**AFFIDAVIT OF GARY W. ABER AND AMENDMENT TO COMPLAINT**

STATE OF DELAWARE )  
 ) SS.  
COUNTY OF NEW CASTLE )

I, Gary W. Aber, being duly sworn according to law, does hereby depose and state as follows:

1. He is an attorney for the plaintiffs in the above-captioned matter.

3. A summons and complaint directed to J.N. Carpentry, Inc., was served upon the Secretary of State, pursuant to 10 Del.C. §3104 on May 25, 2006.

4. By letter dated June 6, 2006 sent by Registered Mail, Return Receipt Requested, a copy of the summons and complaint was sent to J.N. Carpentry, Inc., which letter and enclosures constitute notice and service to defendant of the intention of this action as required by 10 Del.C. §3104. A copy of the letter dated June 6, 2006, is attached hereto as Exhibit No. 1.

5. Attached hereto as Exhibit No. 2 is a copy of the return receipt obtained at the time Exhibit No. 1 was mailed at the post office.

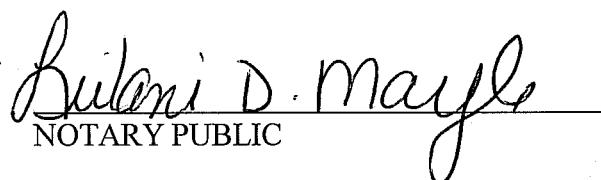
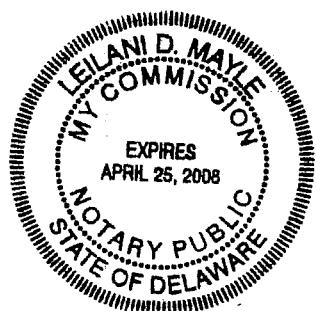
6. Attached hereto as Exhibit No. 3 is a copy of the return receipt for the delivery of the registered letter and attachments directed to J.N. Carpentry, Inc., which was received in the offices of the affiant on or about June 15, 2006.



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GARY W. ABER

SWORN TO AND SUBSCRIBED before me, a Notary Public, of the State and County aforesaid, this 30 day of June, 2006.



Leilani D. Mayle  
NOTARY PUBLIC

# EXHIBIT 1

LAW OFFICES

**ABER, GOLDLUST, BAKER & OVER**

(AN ASSOCIATION OF LAW PRACTICES)

702 KING STREET, SUITE 600

P.O. Box 1675

WILMINGTON, DELAWARE 19899-1675

GARY W. ABER, P.C.  
PERRY F. GOLDLUST, P.A.\*  
DARRELL J. BAKER, P.A.  
SUSAN C. OVER, P.C.  
SHAUNA T. HAGAN  
SAAGAR B. SHAH

(302) 472-4900

TELECOPIER (302) 472-4920

June 6, 2006

\*ALSO ADMITTED IN NEW YORK  
\*\*ALSO ADMITTED IN PENNSYLVANIA

**REGISTERED MAIL**

J.N. Carpentry, Inc.  
108 Grant Street  
Riverside, NJ 08075

RE: DeSouza v. Pettinaro, et.al.

Gentlemen:

Please find enclosed with this letter a copy of a complaint in the above-captioned matter, in which you are named as a defendant. Also enclosed is a copy of the summons showing that service of the complaint was made upon the Secretary of State of the State of Delaware on May 25, 2006, and filed with the Court on June 4, 2006.

The service of the original of such process and the complaint, made upon the Secretary of State, pursuant to the provisions of 10 Del.C. §3104 is as effectual for all intents and purposes as if it had been made upon you personally within this State.

You should refer this matter to your appropriate legal representative.

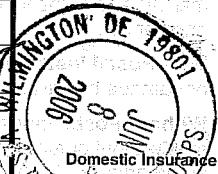
Yours very truly,



Gary W. Aber

GWA/mac  
Enclosure

# EXHIBIT 2

To Be Completed By Post Office		Registered No. <u>RB1069218 33545</u>		Date Stamp
		Reg. Fee \$ <u>1.90</u>	Special Delivery	 <b>Domestic Insurance</b> Is Limited To \$25,000; International Indemnity Is Limited (See Reverse)
		Handling Charge \$ <u>1.85</u>	Return Receipt	
		Postage \$ <u>1.59</u>	Restricted Delivery	
		Received by <u>Bauer</u>		
To Be Completed By Customer (Please Print) All Entries Must Be In Ballpoint or Typed		Customer Must Declare Full Value \$ <u>1000</u> <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> With Postal Insurance  <input type="checkbox"/> Without Postal Insurance         </div>		
FROM		<u>Gerry Aber</u> <u>P. O. Box 1075</u> <u>WILMINGTON, DE 19899</u>		
TO		<u>J.N. Carpentry, Inc</u> <u>108 Grant Street</u> <u>Riverside, NJ 08075</u>		

PS Form 3806, Receipt for Registered Mail (Customer Copy)  
 June 2000 (See Information on Reverse)

6wa/De Sonza

# EXHIBIT 3

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature <i>John DeSenzra</i> <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>John DeSenzra</i> <input type="checkbox"/> C. Date of Delivery <i>6/26/01</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p><i>J. N. Carpentry, Inc. 108 Grant Street. Diverside, NJ 08075</i></p>		<p>3. Service Type  <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail  <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise  <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label) <i>RB 669 318 335 U.S.</i></p>		<p>Domestic Return Receipt <i>SWA/DeSenza</i> 102595-02-M-1540</p>	

PS Form 3811, August 2001